

EXHIBIT 11 TO
STATEMENT OF FACTS

ORIGINAL

CONFIDENTIAL

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X
SEXY HAIR CONCEPTS, LLC,

Opposer,

-against-

V SECRET CATALOGUE, INC.,

Applicant.

Opposition No.: 125,739
-----X

SEXY HAIR CONCEPTS, LLC,

Opposer,

-against-

INTIMATE BEAUTY CORPORATION

d/b/a VICTORIA'S SECRET BEAUTY,

Applicant.

Opposition No.: 91,152,596
-----X

SEXY HAIR CONCEPTS, LLC,

Opposer,

-against-

V SECRET CATALOGUE, INC.,

Applicant.

Opposition No.: 91,152,612
-----X

1140 Avenue of the Americas
New York, New York

November 11, 2002

10:15 a.m.

Deposition of SHERRY HELENE BAKER,
pursuant to Notices, before Christine Salerno,
a Notary Public of the State of New York.

ELLEN GRAUER COURT REPORTING CO.

133 East 58th Street, Suite 1201

New York, New York 10022

212-750-6434

REF: 46497

1 CONFIDENTIAL - BAKER

2 movies, but where the item would be placed
3 within a retail unit or a retail store?

4 A. I'm not sure I understand what
5 you're asking.

6 183 Q. Does Victoria's Secret Beauty have
7 separate retail outlets?

8 A. Separate from what?

9 184 Q. From Victoria's Secret stores?

10 A. There are 500 Victoria's Secret
11 Beauty stores. Within that 500, some are
12 freestanding, meaning they're just by
13 themselves, some are side-by-side with a
14 lingerie store, so it would be a case where you
15 would have two separate doors, one entrance for
16 beauty, one entrance for lingerie, most times
17 connected by a through pass inside the store.
18 Then there are side insides which are when the
19 beauty area is inside of a lingerie store,
20 okay.

21 Also, beauty products are sold at
22 500 -- in our company, we call them, so I'm
23 just going to, niches, N-I-C-H-E-S, which is a
24 beauty that is simply inside of a lingerie
25 store.